

1 SENATE BILL NO. 244

2 INTRODUCED BY M. CUFFE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO MORTUARY SCIENCE
5 LICENSING; REVISING INTERNSHIP REQUIREMENTS TO OBTAIN A LICENSE REQUIRED FOR THE
6 PRACTICE OF MORTUARY SCIENCE; AMENDING SECTIONS 37-19-302 AND 37-19-304, MCA; AND
7 PROVIDING AN EFFECTIVE DATE."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 37-19-302, MCA, is amended to read:

12 **"37-19-302. License required for practice of mortuary science -- qualifications of applicants. (1)**

13 The practice of mortuary science is limited to:

- 14 (a) licensed morticians;
15 (b) licensed interns; and
16 (c) students exempted under 37-19-308.

17 (2) A person 18 years of age or older wishing to practice mortuary science in this state ~~must~~shall
18 apply to the board on the form and in the manner prescribed by the board.

19 (3) To qualify for a mortician's license, a person must:

- 20 (a) be of good moral character;
21 (b) have graduated from an accredited college or university with an associate degree in mortuary
22 science;

23 (c) pass an examination prescribed by the board and pay the application fee set by the board by
24 rule; and

25 (d) serve a 1-year internship under the supervision of a licensed mortician in a licensed mortuary.

26 ~~The internship may be served prior to or after passing the examination provided for in subsection (3)(c).~~

27 (4) A person who fails the examination required in subsection (3)(c) may retake the examination
28 under conditions prescribed by rule of the board."

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Section 2. Section 37-19-304, MCA, is amended to read:

"37-19-304. Issuance of intern's license -- license fee -- issuance of mortician's license on completion of internship. An applicant CURRENTLY ENROLLED IN OR HAVING ALREADY GRADUATED FROM A PROGRAM QUALIFYING UNDER 37-19-302(3)(B) ~~who passes the examination provided for in 37-19-302~~ shall, upon payment of a license fee prescribed by the board, be granted an intern mortician's license to practice mortuary science under the supervision of a licensed mortician in a licensed mortuary in Montana ~~and, upon completion of 1 year's internship and payment of the license fee, may apply for and receive a mortician's license.~~"

NEW SECTION. **Section 3. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2023.

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